LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

Tribal Court Civil Division



Court Address: 7500 Odawa Circle, Harbor Springs, MI 49740

Case No: C-143-0412

Plaintiff:

Phone: 231-242-1462

JUDGMENT

Defendant:

Warren Witham	v.	Bernadece A. Kiogima
P.O.Box 146		P.O. Box 163
Petoskey, MI 49770		Petoskey, MI 49770
Plaintiff's Attorney:		Defendant's Attorney:
amount had not been paid. On June 18, 2 to answer the complaint within 28 days a A hearing was held on July 5, 20 allowed to file additional materials and the an answer. Both parties were given two A continuation hearing was held answer in a timely manner. Having taken owed, the Court finds that \$260 is due and	2012, I and red 12, in the Det weeks on Au n testi	which both parties appeared. Plaintiff was fendant was allowed additional time to file s. gust 3, 2012. Defendant failed to file and mony in open court as to the amounts ng to the Plaintiff.
THEREFORE, IT IS HEREBY ORDE	ERED	:
Judgment in favor of the Plaintiff	in the	amount of \$260.
01-14-13	r Max	la Sherigan ngela Sherigan
Date Ho	on/Ar	ngela Sherigan
Certif I certify that on this date copies of this <i>Order</i> wer Service, and/or by LTBB Internal Mail to the add	e serve	f Service Ed upon the parties by First-Class Mail, Personal shown.
		Cynthia Drauchaust Tribal Court Officer
Date		U I ridai Court Officer

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

Tribal Court Civil Division



Court Mailing Address: 7500 Odawa Circle, Harbor Springs, MI 49740

ORDER CLOSING CASE FILE

Case No: C-144-0512

Laura Francine Skippergosh-Searles Petitioner,

 \mathbb{V}_{\bullet}

Alvin Searles, Respondent,

A final written Judgment of Divorce was entered in this Court on 8/2/2012. With all child support and custody matters being handled in Charlevoix County Circuit Court there is no reason for this Court to keep this case open.

THEREFORE, IT IS ORDERED that this case be closed.

Hon. Allie Greenleaf Maldonado, Chief Tribal Judge

CERTIFICATE OF SERVICE

I certify that copies of this Order Closing Case File were served upon the parties by fax or First Class Mail.

<u>Q-Q5-2014</u> Date

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

Tribal Court



7500 Odawa Circle, Harbor Springs, MI 49740

Phone:	(231)	1242-	1462

Case No:	C-144-0512		
Petitioner:			Respondent:
		V.	
Laura Francin	e Skippergosh-Searles		Alvin Searles

ORDER OF SIMPLE DISSOLUTION OF MARRIAGE

On July 26, 2012, a hearing was held to address the paternity of minor child Cyrus Laurdon Skippergosh, as well as determine the distribution of personal property and allocate marital debt, the Hon. James Genia presiding. At this hearing, Petitioner and Respondent were present.

On May 11, 2012, Petitioner filed a Petition for Dissolution of Marriage, with supporting documents, requesting that the Court grant a divorce. The parties averred that there was no real property to be divided, that the parties would agree to be awarded the personal property in their possession, and that child support and custody matters were being addressed in Charlevoix County Circuit Court.

JURISDICTION

The Little Traverse Bay Bands of Odawa Indians (LTBB) Tribal Court has jurisdiction in this matter pursuant to WOS 13.203 because both Petitioner and Respondent are Tribal citizens of LTBB and Respondent has been a *bona fide* resident of the Tribal Jurisdiction for a period of at least 180 days prior to the filing of the action.

FINDINGS OF FACT

- 1. Petitioner is a LTBB Tribal Citizen, Enrollment Number 0296;
- 2. Respondent is a LTBB Tribal Citizen, Enrollment Number 2478:
- 3. the Parties were married on August 11, 2007, in Charlevoix Michigan;
- 4. the Parties have one child, Cyrus Laurdon Skippergosh, paternity of which is questioned by Respondent, with Petitioner having been granted sole physical and legal custody in Charlevoix County Circuit Court;

- 5. the Parties agree that their marriage has broken down irretrievably and that there remains no reasonable likelihood that the marriage can be preserved;
- 6. the Parties stopped living together as husband and wife on or about May 18, 2010:
- 7. Respondent has lived at 10577 Murray Road, Apartment A-1, Charlevoix, Michigan, 49720 for approximately 15 months;
- 8. the Parties have no real estate; and
- 9. the Parties indebtedness that will be allocated by the Court is limited to a tax obligation to the Internal Revenue Service, a debt obligation to Dell, Inc., and a credit card debt to Bank of America.

CONCLUSIONS OF LAW

The Court finds that it has jurisdiction over this divorce proceeding for the Dissolution of Marriage between the Parties. Both Petitioner and Respondent are Tribal Citizens and Respondent has been a *bona fide* resident within the Tribal Jurisdiction at 10577 Murray Road, Apartment A-1, Charlevoix, Michigan, 49720 for a period of at least 180 days, beginning approximately 15 months ago and continuing throughout the period of this action.

Further, the Court finds that the marriage between Petitioner and Respondent has broken down irretrievably and that there remains no reasonable likelihood that the marriage can be preserved. In addition, the Parties have mutually and voluntarily lived separate and apart for a period exceeding two years.

The Court agrees that the dissolution of the marriage between the Parties should be granted without regard to the fault of either party pursuant to WOS 13.205. Further, Respondent shall obtain a paternity test within thirty (30) days or the presumption of his paternity of the minor child will remain in effect. The Court agrees to a distribution of personal property under which property in each Party's possession will have title vested therewith, and the debts shall be allocated equitably between the Parties.

WHEREFORE, IT IS SO ORDERED:

- 1. A decree of divorce between Petitioner and Respondent is hereby **GRANTED**. The marriage is dissolved and the Parties are divorced.
- 2. Each Party is awarded the items of personal property in his or her possession, free and clear of any claim by the other party.
- 3. Petitioner's former name is restored to her and is legally changed from Laura Francine Skippergosh-Searles to Laura Francine Skippergosh.
- 4. The Parties have no Real Property for which judicial division is necessary, and neither shall have any interest in any after acquired property interest.

- 5. Each party shall hold the other harmless for any debts or obligations they are required to pay pursuant to the terms of this judgment. Each Party shall indemnify the other party for any portion of the debt that Party is required to pay. The marital debts shall be divided as follows:
 - Petitioner shall be responsible for the debt to Dell, Inc. and shall make all necessary payments on that obligation.
 - Respondent shall be responsible for the obligation to the Internal Revenue Service and shall make all necessary payments on that obligation.
 - Petitioner and Respondent shall be jointly liable for the credit card debt to Bank of America, each paying one-half of the principle and one-half of any interest accruing on the debt; in order to satisfy each Party's individual debt, Petitioner and Respondent shall each pay one-half of the monthly payment as it becomes due.
- 6. Respondent shall have thirty (30) days to obtain a paternity test for the minor child Cyrus Laurdon Skippergosh at his own expense.
- 7. Petitioner shall cooperate with Respondent in obtaining a paternity test.

This judgment of divorce is final on the date this written judgment is filed with and entered by the Court.

8 - 2 - 12 Date

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James Genia, Tribal Court Judge

CERTIFICATE OF MAILING

I certify that on this date copies of this *Order*, along with the documents referenced herein, were served on the parties by first-class mail to the address shown above.

Date

Cynthia Drauckau
Tribal Court Officer